

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ASAP TECHNICAL SERVICE INC., et al.,
Plaintiffs,
v.
RECONTRUST COMPANY, N.A., et al.,
Defendants.

Case No. [5:15-cv-01608-EJD](#)

ORDER TRANSFERRING CASE

On August 27, 2015, the court issued an order requiring Plaintiff Jacob Winding (“Winding”) to show cause by September 4, 2015, why this action should not be transferred to the United States District Court for the Eastern District of California. See Docket Item No. 16. As the court explained, venue in this district was improper under 28 U.S.C. § 1391(b) based on the allegations in the amended complaint because all of the real properties at issue are located in counties governed by the Eastern District of California.

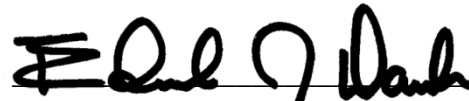
The court has reviewed the return to the order show cause filed by Winding, but finds that Winding failed to demonstrate why this case is properly situated before the Northern District of California. See Docket Item No. 29. Indeed, the only information in the return that is relevant to the venue issue is Winding’s representation that “his personal address” is located within this district. The Stockton address on his pleadings, however, falls within the Eastern District of California. See 28 U.S.C. § 84(b).

Accordingly, the court finds that this action should be transferred pursuant to 28 U.S.C. § 1406(a) (“The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or

1 division in which it could have been brought.”). The Clerk shall TRANSFER this case to the
2 United States District Court for the Eastern District of California and shall close this court’s file.

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4 **IT IS SO ORDERED.**

5 Dated: September 8, 2015

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7 EDWARD J. DAVILA
8 United States District Judge
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United States District Court
Northern District of California